

let's come out, vote on it. You can have your say. The record will be established. But to block the amendment from coming up that then blocks this important bill—which most of us will support—from going forward, that does not make sense.

So I appreciate the Senator's exacerbation.

Mr. President, I yield to my friend, the ranking member of the committee.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I, too, want to commend the Senator from Mississippi for putting forth a commonsense solution to the impasse in which we find ourselves. The Senator from Connecticut and I have been on the floor all day long. We have worked with our colleagues. We have come up with a group of amendments which we believe could be cleared by unanimous consent because they are not controversial. Yet can we clear that package? No. We cannot because even though there is no objection to the specific amendments in that package, they are being held up by Senators who want other amendments or are trying to ensure or block votes on other proposals.

We also came up with a set of amendments tonight—two Democratic amendments, two Republican amendments—that warrant rollcall votes. Two on each side, what could be fairer? Yet we cannot get rollcall votes.

If Members are opposed to amendments, come to the floor, debate them, and vote no, but do not prevent us from moving forward on a very important bill.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I thank the Senator from Maine and the Senator from Connecticut for their work. I admire them both so much.

Can I inquire, Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is Sununu amendment No. 291 to the substitute to S. 4.

Mr. LOTT. Parliamentary inquiry, Mr. President: Would a motion to move the previous question be a proper way to proceed?

The PRESIDING OFFICER. There is no such motion in the Senate.

Mr. LOTT. Would a motion to table be in order, Mr. President?

The PRESIDING OFFICER. A motion to table is in order.

Mr. LOTT. It is not my prerogative, but I am threatening it.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. LIEBERMAN. Mr. President, I have a unanimous consent request to offer, unfortunately not as large as I had hoped, but it may bring the Senators here to the floor and we could reason and go beyond this matter.

I ask unanimous consent that the Senate proceed to executive session to consider the nominations, Nos. 27 and 28; that the Senate immediately vote on the first nomination to be immediately followed by a vote on the second nomination; and that the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session; and that there be 2 minutes for debate between the votes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JOHN ALFRED JARVEY TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA

Mr. LEAHY. Mr. President, who is the first nominee?

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read the nomination of John Alfred Jarvey, of Iowa, to be United States District Judge for the Southern District of Iowa.

Mr. LEAHY. Mr. President, today we consider the nomination of John A. Jarvey, who has been nominated for a seat on the U.S. District Court for the Southern District of Iowa. In his 18 years as a U.S. Magistrate Judge in the Northern District of Iowa, Judge Jarvey has built upon his reputation as is a well-respected attorney and former federal prosecutor and earned the bipartisan support of both home State Senators. I know Senator GRASSLEY, who has been a strong advocate for Judge Jarvey on the committee, will welcome his confirmation.

A native of Minneapolis, MN, Judge Jarvey received his B.S. in accounting from the University of Akron in 1978 and his J.D. from Drake University in 1981 before clerking for Judge Donald E. O'Brien in the Northern District of Iowa. After his clerkship, Judge Jarvey began his career as a trial attorney in the criminal division of the Justice Department from 1983 to 1987, working in the narcotic and dangerous drug Section before his appointment as a magistrate judge for the Northern District of Iowa in 1987. He is now the chief magistrate judge of that district. Since 1993, Judge Jarvey has also been trial advocacy instructor at Iowa Law School since 1993.

With his confirmation today, the Senate will have confirmed nine judicial nominations for lifetime appointments this year. That is more than half the total of confirmations for the entire 1996 session and we are still in February of this year. Of course, it was the Republican Senate majority that refused to proceed with qualified nominees and slowed consideration of President Clinton's nominations.

Indeed, one of the casualties of their pocket filibusters was an outstanding nominee from Iowa. Bonnie Campbell had served as attorney general for the State of Iowa and as the head of the Violence Against Women Office at the Department of Justice. Despite her qualifications and without any explanation, the Republican leadership in the Senate stalled her nomination for many months and then killed it. Hers was one of the more than 60 judicial nominations of President Clinton that Republicans pocket filibustered.

President Bush's nominations from Iowa have fared better in a Democratic-controlled Senate than President Clinton's did under Republican control. Judge Jarvey will be the third Iowa District Court judge confirmed while I have been chairman of the Judicial Committee. We also confirmed an 8th Circuit nominee from Iowa, Michael Melloy, when I was last Chairman.

I have long urged the President to fill vacancies with consensus nominees. After Judge Jarvey's confirmation, according to the Administrative Office of the U.S. Courts there will still be some 51 judicial vacancies, 25 of which have been deemed to be judicial emergencies. The President has sent the Senate nominations for only 22 of those seats, and has yet to send us nominees for 17 of the judicial emergency vacancies. That means two-thirds of the judicial emergency vacancies are without a nominee from this President.

I congratulate Judge Jarvey, his wife, and his three children on his confirmation today.

Mr. GRASSLEY. Mr. President, I urge my colleagues to support Judge John Jarvey, who has been nominated to serve as a U.S. district judge for the Southern District of Iowa. The Judiciary Committee unanimously approved Judge Jarvey some time ago, and I am glad that now we are moving expeditiously on his nomination.

I would like to give my colleagues a little background on this stellar nominee. Judge Jarvey comes from Cedar Rapids, IA. Since 1987, he has been the chief U.S. magistrate judge for the U.S. district court, Northern District of Iowa. He also has been a trial advocacy instructor at the University of Iowa Law School since 1993.

I received many letters from the Iowa legal community praising Judge Jarvey's judicial temperament, courteousness to litigants, and respect for and commitment to our judicial system. He has been praised for his judicial ethics and abilities as an administrator. Many letters commented on